

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

MINUTES  
SPECIAL CITY COUNCIL MEETING  
10<sup>TH</sup> FLOOR CONFERENCE ROOM  
MONDAY, DECEMBER 12, 2005  
4:00 P.M.

The City Council met at the above place and date at approximately 4:32 p.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call:

Ann Morgan Lilly  
Susannah M. Byrd  
Jose Alexandro Lozano  
Melina Castro  
Steve Ortega  
Beto O'Rourke  
Presi Ortega, Jr.  
Eddie Holguin, Jr.

**AGENDA**

City Council Agenda for December 13, 2005 (attached).

The City Manager, City Department Heads and Staff presented to Council Members short briefings on the agenda items for the City Council Agenda for December 13, 2005 and answered the questions of Council Members.

Motion made by Representative Steve Ortega, seconded by Representative Lilly and carried to adjourn this meeting at 5:45 p.m.

APPROVED AS TO CONTENT:

  
Richarda Duffy Momsen, City Clerk

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## REVISED

AGENDA FOR  
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS  
TUESDAY, DECEMBER 13, 2005  
9:00 A.M.

AND

SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION  
COUNCIL/STAFF QUESTION AND ANSWER SESSION  
2ND FLOOR, COUNCIL CHAMBERS  
MONDAY, DECEMBER 12, 2005  
4:00 P.M. OR IMMEDIATELY FOLLOWING SPECIAL CITY COUNCIL MEETING

### ROLL CALL

Invocation – Fire Chaplain Ed Sinke  
Pledge of Allegiance

### MAYOR'S PROCLAMATIONS

"BILL OF RIGHTS DAY"

### RECOGNITION

"HEROISM" AWARD TO JOHANNA PUGA-MARTINEZ

### CALL TO THE PUBLIC – PUBLIC COMMENT

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

**CONSENT AGENDA****1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of December 6, 2005 and Special City Council Meeting of December 5, 2005.

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:****3. RESOLUTIONS:**

**3A.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and JULIET LOZANO, to employ Juliet Lozano as a Municipal Communications/Public Affairs Manager, at a biweekly rate of \$2,243.36, for 40 hours per week. The term of the contract shall be for the period of December 27, 2005 through December 28, 2006. This is a contract renewal.  
Fund Source: 15010705-01101-15000 [City Manager, Joyce A. Wilson, (915) 541-4844]

**3B.** That the City Manager be authorized to sign a License Agreement for Physicians Healthcare Associates ("PHA") by and between PHA and the City of El Paso (the "City") whereby the City agrees to provide space on City property for PHA to operate health care clinics which shall provide health care services to active non-uniformed City employees, active duty police officers, active duty fire fighters, and retirees enrolled in the City's Self Funded Health Benefit Plan.  
**(All Districts)** [Office of Management and Budget, David Almonte, (915) 541-4011]

**3C.** That the City Manager be authorized to sign a First Amendment to the City Parks Restrooms Maintenance Contract between the City of El Paso, Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to extend the term of the contract and provide consideration for the extension.  
**(All Districts)** [Parks and Recreation, Norman Merrifield, (915) 541-4331]

**3D.** That the City Manager be authorized to sign a First Amendment to the City Parksites Maintenance Contract between the City of El Paso, Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to extend the term of the contract and provide consideration for the extension.  
**(All Districts)** [Parks and Recreation, Norman Merrifield, (915) 541-4331]

**3E.** That the City Manager be authorized to sign a Parkland Improvements Agreement and any subsequent documents necessitated thereby so that Frontera Vista L.P. is entitled to provide certain recreational improvements to the City's regional Valley Creek Park, located in Park Zones 259 & 260, in exchange

for parkland dedication credits within Park Zones 259 & 260. These parkland dedication credits will be available to off-set against parkland dedication otherwise required for Valley Creek Unit One and subsequent subdivision submittals by Frontera Vista L.P. and its related entities. **(All Districts)**

[Parks and Recreation, Norman Merrifield, (915) 541-4331]

- 3F.** That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso, the El Paso County 911 District, a political subdivision of the State of Texas, and the County of El Paso, a political subdivision of the State of Texas, to allow for sharing of the City's 800 MHz conventional radio system which is designed for delivery of voice radio communications, and which provides for a data link for Emergency Service Agencies and personnel to local, state, and national databases. **(All Districts)**

[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 3G.** That the City Manager be authorized to sign a contract between the City and Service Systems Associates Corporation (SSA), to provide concessionaire services and SSA will invest \$602,000.00 for alterations, furnishings and equipment improvements necessary for concessionaire services to be provided in the proposed expanded area of the Zoo. **(All Districts)**

[Zoo, Lea Hutchinson, (915) 521-1850]

- 4.** Request from Carlos O. Acosta of the Street Department for Special Sick Leave.

[Street Department, Daryl Cole, (915) 621-6750]

**5. CHANGE ORDERS:**

- 5A.** Approve Change Order No. Forty (40) (Construction Change) to Silverton Construction Co., Inc. for Contract No. 2004-013, Cleveland Square Redevelopment project, located at 501 N. Oregon, for an increased amount of \$79,599.55. Per user department request, this change order will add a theatre to existing exhibit area, plus additional partition walls and miscellaneous electrical modifications throughout the History Museum. This change order will add 21 days to contract time. Quality of Life Bonds fund this change order: 31130565-PPW0058001-26283-508027. Construction budget: \$239,820.08. Existing contingency funds will be used for this change order.

The revised scheduled completion date, through this change order, is February 5, 2006. [Financial Services, Byron E. Johnson, (915) 541-4308]

- 5B.** Approve Change Order No. Five (5) (Construction Change) to Dantex Construction Company for Contract No. 2005-024, Eastside Regional Library project, for an increased amount of \$31,450.00. This Change Order will not increase contract time. The purpose of this change order is to add thirty (30) parking spaces adjacent to the library, per Library Department request. Quality of Life Bonds fund this change order: 31130562-PPW0056005YR2-60003-508027. Construction Budget: \$129,799.80. Existing contingency funds will be used for this change order.

The revised scheduled completion date, through this change order, is January 23, 2006. [Financial Services, Byron E. Johnson, (915) 541-4308]

**6. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

**6A.** Solicitation No. 2005-264      Duty Uniforms

Award to:	Vendor 1:	Uniforms of Texas El Paso, Texas
Item(s):		Group I, #1a, 2a, 4a, 5a, 5b Group II, #1, 2, 3, 4, 5, & 6 Group III, #2, 4, 5, & 6
Amount:		\$48,282.60 (estimated)
Award to:	Vendor 2:	Bazaar Uniforms & Men's Store El Paso, Texas
Item(s):		Group I, #1b, 2b, 3a, 3b, 4b Group III, #1, 7a & 7b Group IV, #1 & 2
Amount:		\$206,258.64 (estimated)
Award to:	Vendor 3:	Rock's/School Wear El Paso, Texas
Item(s):		Group III, #3
Amount:		\$12,082.56 (estimated)
Award to:	Vendor 4:	Iron Age Corporation Pittsburgh, PA
Item(s):		Group IV, #3 & #4
Amount:		\$988.80 (estimated)
Department:		Fire
Funds available:		22010100-503120-01101
Funding source:		Fire Department General Operating Funds-Uniform & Apparel Supplies
Total award:		\$267,612.60 (estimated)
District (s):		All

Fire Department and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award.

Vendor #2 offers the City the option to extend the term of the contract at the same unit prices for one (1) or two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award.

Vendor #3 offers the City the option to extend the term of the contract at the

same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award. Vendor also offers the City a prompt payment discount of 2% ten (10) days.

Vendor #4 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Twelve (12) months.  
[Financial Services, Jesus M. Juarez, (915) 541-4317]

- 6B.** Solicitation No. 2006-038 Pool Chemicals-Aquatics  
Award to: Vendor 1: D. Gilmore Commercial Pool Supply  
El Paso, Texas  
Item(s): #1, #7, #9, #10, #11, #12, #13, #14, & #15  
Amount: \$18,921.72 (estimated annually)
- Award to: Vendor 2: Baron Chemical Company, Inc.  
El Paso, Texas  
Item(s): #2, #3, #5, #6  
Amount: \$14,350.00 (estimated annually)
- Award to: Vendor 3: ARSA Industries, Inc.  
El Paso, Texas  
Item(s): #4  
Amount: \$50.00 (estimated annually)
- Award to: Vendor 4: Universal Supply Co.  
El Paso, Texas  
Item(s): #8  
Amount: \$70.95 (estimated annually)
- Department: Parks & Recreation  
Funds available: 51010256-503126-01101  
Funding source: Parks & Recreation Operating General Funds  
Total award: \$66,785.34 (estimated)  
District (s): All

Parks & Recreation Department and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #2 offers the City a prompt payment discount of 1% ten (10) days no other options offered.

Vendor #3 offers the City a prompt payment discount of 2% ten (10) days no other options offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Financial Services, Jesus M. Juarez, (915) 541-4317]

**6C.** Solicitation No. 2006-042 Towing of Motor Vehicles-City Owned  
Award to: Sun City Towing & Recovery L.P.  
El Paso, Texas  
Item(s): Item #1, A, A1, B, B1, C, C1, D, D1 & E  
Item #2(all)  
Amount: \$40,000.00 (estimated annually)  
  
Department: General Services-Fleet  
Funds available: 37370510-503125-45202  
Funding source: Fleet Services Internal Service Fund  
Total award: \$120,000.00  
District (s): All

General Services-Fleet and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award. Vendor also offers the City a prompt payment discount of 2% ten (10) days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months. [Financial Services, Jesus M. Juarez, (915) 541-4317]

**7. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**BT2006-225 POLICE**

The Department proposes to appropriate the amount listed to cover Fiscal Year 2006 Federal Confiscated Fund budget. Items to be paid for include the curb cuts for parking at the County Jail, facility rehab for the Intoxilyzer School, and cash match for various grants. **(All Districts)**

Increase	\$282,421	to	21150060/P50023116371/405065	MiscRevenue
Increase	\$282,421	to	21150060/P50023116371/508027	Construction

**8. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events. [Development Services, R. Alan Shubert, (915) 541-4560]

**8A.** Centro de Salud Familiar La Fe to block off Scenic Dr. between Wheeling Ave. and Rim Rd. on December 17, 2005 from 6:00 a.m. to 11:59 p.m. for the 14<sup>th</sup> Annual Luminarias. Approximately 200 persons, 800 vehicles will take part and 200 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers, 1 amplifier and 1 microphone). PERMIT # 05-188 [Frank Varela] **(District 1)**

NO OBJECTIONS FROM FIRE AND SUN METRO. ENGINEERING DEPT/ TRAFFIC DIV HAS NO OBJECTION TO THE PROPOSED STREET CLOSURE. POLICE DEPT WILL PROVIDE FOR TRAFFIC CONTROL FOR A PORTION OF THIS EVENT. BARRICADES MUST BE MANNED IN ACCORDANCE WITH TEXAS MANUAL ON UNIFORMED TRAFFIC CONTROL DEVICES. WHEN POLICE ARE NOT AVAILABLE. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 7 OFFICERS AND 7 VEHICLES. ESTIMATED COST TO CITY: \$639.00; ESTIMATED COST TO APPLICANT: \$1,111.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 8B.** March of Dimes to block off McKelligon Canyon at Alabama on April 29, 2006 from 7:00 a.m. to 12:00 p.m. for a foot walk. Approximately 1,000 persons, 500 vehicles will take part and 20 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers and 1 microphone). PERMIT # 05-189 [Sandra Gonzalez] **(Districts 2 & 4)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 2 OFFICERS AND 2 VEHICLES. ESTIMATED COST TO CITY: \$300.00; ESTIMATED COST TO APPLICANT: \$200.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 8C.** Jose R. Sanchez to block off Kyle between 344 and 364 on December 17, 2005 from 4:30 p.m. to 8:00 p.m. and on December 18, 2005 from 9:00 a.m. to 8:00 p.m. for a matachines block party. Approximately 60 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 05-191 [Jose R. Sanchez] **(District 8)**

NO OBJECTIONS FROM FIRE AND SUN METRO. ENGINEERING DEPT/ TRAFFIC DIV HAS NO OBJECTION TO THE PROPOSED STREET CLOSURE. BARRICADES MUST BE MANNED IN ACCORDANCE WITH TEXAS MANUAL ON UNIFORMED TRAFFIC CONTROL DEVICES. BARRICADES MUST ALSO REQUIRE FLASHING (BLINKING) LIGHTS FOR NIGHTTIME OPERATION. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

### REGULAR AGENDA

#### **9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

Public comment typically is not taken during the introduction of ordinances.

Public comments are invited at the date of the scheduled public hearing.

- 9A.** An Ordinance vacating the 10-foot drainage right-of-way located between Lots 10 and 11, Block 5, Zach White Industrial District, City of El Paso, El Paso County, Texas. Applicant: CIC Limited. DV-05001 **(District 8)**  
[Planning, Esther Guerrero, (915) 541-4720]
- 9B.** An Ordinance amending Title 2 (Administration and Personnel) by repealing Chapter 2.100 (Water Conservation Advisory Board) of the El Paso Municipal Code for the purpose of abolishing the Water Conservation Advisory Board. **(All Districts)** [Development Services, Planning Division, George G. Sarmiento, (915) 541-4745]
- 9C.** An Ordinance repealing Ordinance No. 012631 for the purpose of abolishing the Enterprise Community Coordinating Committee. **(Districts 2, 3, 4, 6, & 7)**  
[Community and Human Development Thomas Serrano (915) 541-4642]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 28, 2005 FOR ITEMS 9A -9C**

- 9D. An Ordinance changing the zoning of Parcel 1: Tract 2D4A and a portion of Tract 2D4, Block 9, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-4 (Residential); Parcel 2: A portion of Tract 2D4, Block 9, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-4 (Residential); and Parcel 3: A portion of Tract 2D and Tract 2D3, Block 9, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-1 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 358 Pendale Road. Applicant: Jose M. Chavez, Jorge Chavez, Leilonli Chavez & Richard Aguilar. ZON05-00098 (District 7) [Planning, Christina Valles, (915) 541-4930]
- 9E. An Ordinance changing the zoning of a portion of Tract 4, Block 6, Christy Tract in Block 31, Ysleta Grant, El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 300-400 Block of South Yarbrough. Applicant: Jorge L. Garcia. ZON05-00116 (District 7) [Planning, Christina Valles, (915) 541-4930]
- 9F. An Ordinance changing the zoning of all of Tract 1F2-B5, Block 1, Ascarate Grant, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from M-1/SC (Light Manufacturing/Special Contract) to C-4/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 11130 Rojas Drive. Applicant: Miguel Angel Murra, Trustee. ZON05-00118 (District 7) [Planning, Christina Valles, (915) 541-4930]
- 9G. An Ordinance changing the zoning of all of Lot 46, Block 423, Vista Del Sol Unit Ninety-Three, El Paso, El Paso County, Texas from C-1 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 11781 Pellicano. Applicant: J.L. Unique Homes Inc. ZON05-00122 (District 6) [Planning, Christina Valles, (915) 541-4930]
- 9H. An Ordinance changing the zoning of Tracts 1A & 3B, Section 41, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from M-1/SC (Light Manufacturing/ Special Contract) to C-4/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: Railroad Drive and Deer Avenue. Applicant: Robert Brown and Nancy Brown. ZON05-00117 (District 4) [Planning, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON JANUARY 3, 2006 FOR ITEMS 9D -9H**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**10. MAYOR AND COUNCIL:**

- 10A.** Discussion and action to amend the Rules of Council to increase the time allotted to speakers from 3 minutes to 5 minutes. [Representative Susie Byrd, (915) 541-4416]
- 10B.** Discussion and brief on Cd. Juárez Tourism tour and meeting with Cd. Juárez City Representatives. **POSTPONED FROM 11/22/05 AND 12/06/05**  
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 10C.** Discussion and action to establish a City-County Commission On Border Issues (CCBI) through interlocal agreement. **POSTPONED FROM 12/06/05**  
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 10D.** A Power Point Presentation on the Coronado Neighborhood Plan by UTEP Master of Public Administration Students as requested by Mayor Pro Tempore Beto O'Rourke, District #8. [Representative Beto O'Rourke, (915) 541-4268]
- 10E.** Discussion and action on the appointment and removal of Housing Authority Commissioners. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 10F.** Discussion and update on 2004 Hawkins ROW Acquisition Bond Project from Capital Improvement Program. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 10G.** Discussion and update on Hawkins Median improvements between I-10 and Montana. [Representative Jose Alexandro Lozano, (915) 541-4515]

**11. BID:**

Solicitation No:	2006-016	Verdeland Street & Drainage Improvements
Location:		713 Lomita Drive (from Lomaland Drive to Eastland Street)
Contractor:		C. F. Jordan, L. P. El Paso, TX
Department:		Streets
Funds Available:		71150069-G7130CD0024-07840-508027 (Base Bid I) 71150069-G7130PS0024-11080-508027 (Base Bids II & III)
Funding Source:		Community Development 31 <sup>st</sup> YR Grant No. B-04-MC-48-0015
Items:	Base Bid I	\$999,953.71
	Base Bid II	\$90,264.00
	Base Bid III	\$143,241.00
Total Award:		\$1,233,458.71 (estimated)
Estimated Completion Date:		July 2006
District(s):		7

The Departments of Engineering and Streets recommend the award of this contract to C. F. Jordan, L. P., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

Work under the unit price component is only an estimated value and will be ordered,

performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

[Financial Services, Byron E. Johnson, (915) 541-4308]

**12. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**BT2006-226 POLICE**

The Department proposes to appropriate the amount listed to cover Fiscal Year 2006 State Confiscated Fund budget. Items to be purchased include furniture for Records, Vice/Intelligence, Special Projects, Academy, electronic billboard, vests, TASERS, X-ray machine for Bomb Squad, riot equipment, surveillance equipment and night vision equipment. **(All Districts)**

Increase	\$531,940	to	21150060/P50023216411/405065	MiscRevenue
Increase	\$156,940	to	21150060/P50023216411/508007	SafetyEquip
Increase	\$375,000	to	21150060/P50023216411/508009	Furn&Fixt

**13. CITY MANAGER:**

Discussion and action on a resolution that the City Manager be authorized to sign the Articles of Agreement between the City of El Paso and the El Paso Municipal Police Officers Association for the contract period covering December 13, 2005 through August 31, 2008. [City Manager, Joyce A. Wilson, (915) 541-4844]

**14. PUBLIC HEARINGS – MAYOR AND COUNCIL:**

An Ordinance amending Title 7 (Animals) of the El Paso City code in its entirety, providing that penalties for violations thereof shall not exceed two-thousand dollars (\$2,000.00) per day per violations as provided in 7.04.080 of the El Paso City Code. [Representative Beto O'Rourke, (915) 541-4268] **POSTPONED FROM 12/06/05**

**15. PUBLIC HEARINGS – DEVELOPMENT AND INFRASTRUCTURE SERVICES:**

An Ordinance deleting Title 2 (Administration and Personnel), Chapter 2.88 (Selection Procedures for Architects, Engineers and Land Surveyors), of the El Paso Municipal Code in its entirety.

[Patricia D. Adauto, Deputy City Manager, Development & Infrastructure Services, (915) 541-4853]

**16. PUBLIC HEARINGS – EL PASO WATER UTILITIES:**

An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to El Paso Jamas, Ltd., land totaling approximately 33.045 acres consisting of Tract 9C, Block 13, Upper Valley Surveys, El Paso County, Texas, in far west El Paso located north of Borderland Road between Westside Road and Morrell Road just outside the City Limits of El Paso. **(District 1)**

[El Paso Water Utilities, Robert D. Andron, (915) 594-5506] **POSTPONED FROM 11-29-05**

**17. PUBLIC HEARINGS – PLANNING:**

- 17A.** An Ordinance changing the zoning of a portion of Block 33, Mills Addition, El Paso, El Paso County, Texas from C-4/C (Commercial/Condition) to C-5/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 378 Santa Fe Street. Applicant: Federal Acceptance Corp. ZON05-00106 **(District 8)**  
[Planning, Christina Valles, (915) 541-4930]
- 17B.** An Ordinance granting Special Permit No. ZON05-00107, to allow for a parking reduction on the property described as a portion of Block 33, Mills Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 378 Santa Fe Street. Applicant: Federal Acceptance Corp. ZON05-00107 **(District 8)**  
[Planning, Christina Valles, (915) 541-4930]
- 17C.** An Ordinance changing the zoning of Lot 3, Block 1, Loya's Subdivision, El Paso, El Paso County, Texas from R-3 (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 322 A Thorn Avenue. Applicant: Librado Loya. ZON05-00110 **(District 1)** [Planning, Christina Valles, (915) 541-4930]
- 17D.** An Ordinance granting Special Permit No. ZON05-00111, to allow for a City County Health clinic on Lot 1, Block 1, Hornedo Subdivision, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 5195 Mace Street. Applicant: City of El Paso - City County Health & Environmental District. ZON05-00111 **(District 1)**  
[Planning, Christina Valles, (915) 541-4930]
- 17E.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to remove the proposed Lee Trevino Drive extension between North Loop Drive and Cesar Chavez Memorial Highway. **(Districts 6 & 7)**  
[Planning, Tae-Gyu Kim, (915) 541 4033]
- 17F.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to remove the proposed Stanton Street extension between Coral Sky Lane and proposed Arterial 1 and to remove a section of proposed Arterial 1 between Mesa Street and Alabama Street. **(Districts 1, 2 & 4)**  
[Planning, Tae-Gyu Kim, (915) 541 4033]
- 17G.** Discussion and action on a resolution approving a detailed site development plan, for a portion of Tract 3, Section 4, Block 79, TSP 3, T&P Railway Co. Surveys, El Paso, El Paso County, Texas, pursuant to a condition imposed by Ordinance No. 011446. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1800 Block of Joe Battle Blvd. Applicant: River Oaks Properties, Ltd. ZON05-00114 **(District 6)**

[Planning, Christina Valles, (915) 541-4930] **POSTPONED FROM 11/29/05**

- 17H.** An Ordinance changing the zoning of Parcel A: a portion of Tract 10A, 10E, 12 and 13, Nellie D. Mundy Survey No. 239, El Paso, El Paso County, Texas from R-3 (Residential) to R-3A (Residential); Parcel B: a portion of Tracts 10A and 10E, Nellie D. Mundy Survey No. 239, El Paso, El Paso County, Texas from R-3 (Residential) to A-O (Apartment-Office); and Parcel C: a portion of Tracts 10A and 10E, Nellie D. Mundy Survey No. 239, El Paso, El Paso County, Texas from R-3 (Residential) and PMD (Planned Mountain Development) to C-3/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 7800 Block of Transmountain Road. Applicant: RVE Unit 18 Ltd. ZON05-00080 **(District 1)**

[Planning, Christina Valles, (915) 541-4930] **POSTPONED FROM 11/15/05 AND 11/29/05**

- 17I.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.08.090.B (Sale Of Alcoholic Beverages, Restrictions) in order to prohibit the sale of alcoholic beverages within three hundred feet of a public or private school, day-care center or child-care facility. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code. **(All Districts)**

[Planning, Kimberly Forsyth, (915) 541-4631] **POSTPONED FROM 11/29/05**

- 17J.** An Ordinance amending Ordinance No. 011446 which changed the zoning of a portion of Tract 3, section 4, Block 79, TSP 3, T&P Railway Co. Surveys, El Paso, El Paso County, Texas, and which imposed certain conditions, by deleting Condition Number 2, applicable to Parcels 1&2, thereof. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 1800 Block of Joe Battle Blvd. Applicant: River Oaks Properties, Ltd. ZON05-00113 **(District 6)** [Planning, Christina Valles, (915) 541-4930]

**POSTPONED FROM 11/29/05**

- 17K.** Discussion and action on a resolution that the City Manager be authorized to sign, upon the affirmative recommendation of the City Plan Commission, a Non-Exclusive Easement Agreement by and between the City of El Paso and Resler Interstate 10 Development Co., Inc. and Hunt Building Company, Inc., and any necessary documentation, which would allow the City of El Paso to accept the easement located within all of Tracts 16A, 15S1, 15V, a portion of Tract 15A A.F. Miller Survey 213, and a portion of Lot 3, Block 3, Alto Mesa Unit Two, El Paso, El Paso County, Texas, in order to inspect, maintain, repair and replace dedicated public drainage structures and related improvements maintained by the City of El Paso. **(District 8)** [Planning, Fred Lopez, (915) 541-4925]

- 18.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 18A.** *Cerjio Martinez, Jr. v. City of El Paso*; Cause No. 2003-5565 in the 327<sup>th</sup> District Court (551.071) [City Attorney's Office, Laura P. Gordon, (915) 541-4550]
- 18B.** *Rita N. Villanueva and Pablo Villanueva v. City of El Paso, et al*; Cause No. EP-05-CA-0071-DB (551.071) [City Attorney's Office, Jennifer F. Callan (915) 541-4550]
- 18C.** *Xerox Capital Services vs. County of El Paso and City of El Paso*; Cause No. 2005-3348 (551.071) [City Attorney's Office, Laura P. Gordon (915) 541-4550]
- 18D.** Discussion and action on the claim of Bill Bowden (SWM/L0066) (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]  
**POSTPONED FROM 11/08/05, 11/22/05 AND 12/06/05**
- 18E.** *Sylvia Aguilar vs. City of El Paso*, Cause No. 2004-084 in the 168<sup>th</sup> District Court (551.071) [City Attorney's Office, Laura P. Gordon, (915) 541-4550]  
**POSTPONED FROM 12/06/05**
- 18F.** Economic development related negotiations with two (2) separate business prospects and the possible offer of financial or other incentives to each of the business prospects. (551.087) [Economic Development, David G. Dobson, (915) 541-4674]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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